

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

May 18, 2004

DIVISION ONE

Court convened at 9:00 a.m.

Present: Spencer, P.J., Ortega, J., Vogel (Miriam A.), J., Mallano, J. and S. Beaux,
Deputy Clerk.

Each of the following:

B165753 Susman, et al. v. Fireman's Fund Insurance Co.
B166513 People v. Burgos
B167385 People v. Smith, Larry
B167406 People v. Castaneda
B168409 People v. Legaspi
B168938 DCFS v. Eric R.
B169342 DCFS v. Mirna R.
B169387 People v. Slayman
B169447 People v. Larry P.
B169864 People v. Brandon R.
B170068 People v. Chavez
B170917 DCFS v. April A.
B172234 Lewis v. McGee
B173907 Luis P. V. SCLA (DCFS, r.p.i.)

Argument waived, cause submitted.

B162295 McCarthy, et al.
 v.
 AstenJohnson, Inc.

Merits:

Argued by Rita Gunasekaran for appellant and by Charlotte E. Costan for
respondents. Cause submitted.

DIVISION ONE (Continued)

Ortega, J. leaves the bench.

B166453 Watson, et al.
 v.
 Meritech Mortgage Services, Inc.

Merits:
Argued by Paul Carter for appellants and by William C. Saacke for
respondent. Cause submitted.

Ortega, J. returns to the bench.

Mallano, J. leaves the bench.

B162577 Lo, et al.
 v.
 State of California

Merits:
Argued by Christie Gaumer for appellants and by Michael A. Hood for
respondent. Cause submitted.

Mallano, J. returns to the bench.

Vogel, J. leaves the bench.

B165768 People
 v.
 Harmon

Merits:
Argued by Maria Morrison for appellant and by Corey J. Robins, Deputy
Attorney General, for respondent. Cause submitted.

DIVISION ONE (Continued)

B164399 Mullin
 v.
 Furman, et al.

Merits:
Argued by David Axelrad for appellants and by Calvin C. Schneider, III,
for respondent. Cause submitted.

Vogel, J. returns to the bench.

Spencer P.J. leaves the bench.

B171054 Ruiz
 v.
 Superior Court, Los Angeles County
 (The People, r.p.i.)

Merits:
Argued by John Hamilton Scott, Deputy Public Defender, for petitioner and
by Sunnie Lee Daniels, Deputy City Attorney, for real party in interest.
Cause submitted.

Court adjourned.

B163347 Guardian Angel Polish National Catholic Church of Los Angeles, Inc.
 v.
 Casimir J. Grotnik, et al.

Filed order modifying opinion and certifying for publication. (No change
in the judgment)

May 18, 2004 (Continued)

DIVISION THREE

B166165 People (Not for Publication)
v.
John Cho

The judgment is affirmed.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

DIVISION FOUR

B168010 Farid (Not for Publication)
v.
Zamora

The order denying the motion to set aside the dismissal is reversed and the matter is remanded to the trial court with directions to grant the motion to set aside the dismissal to address the motion to set aside the order deeming the requests for admission as admitted. Costs are awarded to the appellant.

Hastings, J.

We concur: Epstein, Acting P.J.
Curry, J.

DIVISION FIVE

B164822 Dan Connolly, Inc., et al. (Not for Publication)
v.
Independent Armored Car Operators Assn., Inc., et al.

The judgment is reversed. Appellant(s) to recover costs.

Turner, P.J.

We concur: Grignon, J.
Armstrong, J.

May 18, 2004 (Continued)

DIVISION FIVE (Continued)

B166412 People (Not for Publication)
v.
Javier Zaragoza

The Penal Code section 186.22, subdivision (b)(1) 10-year enhancement imposed as to count 1 is stricken. The abstract of judgment shall reflect a 15-year minimum eligibility parole date pursuant to Penal Code section 186.22, subdivision (b)(5). The clerk of the superior court is directed to prepare and deliver to the Department of Corrections an amended abstract of judgment, which reflects the changes noted herein. The judgment is affirmed in all other respects.

Turner, P.J.

We concur: Grignon, J.
Armstrong, J.

B162802 Beverly Greenberg
v.
Alta Healthcare System et al

Filed order denying petition for rehearing.

DIVISION SIX

B163556 Conservatorship of the Person and Estate of (Not for Publication)
Mesa V. Lundberg
Parks, et al.
v.
Lundberg

The purported appeal from the October 10, 2002, Order for Placement of Conservatee is dismissed. The Order Instructing Trustee To Sell Trust Real Property is affirmed. Costs to respondents.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

May 18, 2004 (Continued)

DIVISION SEVEN

B161504 Padgett (Not for Publication)
v.
McGee, et al.

The judgment is affirmed. The director defendants are to recover their costs on appeal.

Perluss, P.J.

We concur: Woods, J.
Zelon, J.

B165883 Lopez, et al. (Not for Publication)
v.
S.L. Fusco, Inc., et al.

The judgments are reversed. The matter is remanded for further proceedings not inconsistent with this opinion. The Lopez's are to recover their costs on appeal.

Perluss, P.J.

We concur: Woods, J.
Zelon, J.

B168599 People (Not for Publication)
v.
Chaker

The judgment is affirmed.

Perluss, P.J.

We concur: Woods, J.
Zelon, J.

DIVISION SEVEN (Continued)

B163114 Fashion 21, et al.

v.

Coalition for Humane Immigrant Rights of Los Angeles, et al.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

B162176 Page

v.

Los Angeles Times Communications

Filed order denying petition for rehearing.